

REMARKS

This Amendment is filed in response to the Office Action dated October 5, 2006, which has a shortened statutory period set to expire January 5, 2007. An extension of time is provided herewith, thereby allowing Applicant to respond by February 5, 2007.

Allowable Subject Matter

Applicant greatly appreciates the Examiner's indication of allowable subject matter. Specifically, Claims 2-8 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant has rewritten Claim 2 in independent form including all of the limitations of the base claim (Claim 1) and any intervening claims (none). Therefore, Applicant requests reconsideration and withdrawal of the objection to Claim 2.

Claims 9 and 15 are amended herein to depend from Claim 2. Therefore, Claims 3-11 and 14-15 now depend from Claim 2 and therefore are patentable for at least the reasons presented for Claim 2. Claim 15 is further amended herein to correct for antecedent basis. Therefore, Applicant requests reconsideration and withdrawal of the objection to Claims 3-8 and the rejection of Claims 9-11 and 14-15.

Claims 12-13 Are Patentable Over Shin & Offatt

Claim 12, as amended, recites:

a controller for sending at least one control signal to the food dispensing mechanism and the condiment dispenser based on a selection input of a snack food,

wherein the at least one control signal directs the food dispensing mechanism to dispense the serving and directs the condiment dispenser to dispense a

first quantity of the set of rigid condiment packets from the output channel.

Applicant respectfully submits that Shin and Offatt fail to teach these limitations. Specifically, Shin teaches a vending machine for storing and dispensing of kimchi. Paragraph [0004]. Offatt teaches a vending machine including a plurality of spring-loaded pushers for continuously pushing a row of items on a tray toward an ejecting station. Col. 2, lines 22-25. Notably, both Shin and Offatt teach that a selection of a food item and payment thereof results in the dispensing of only that food item. Applicant's system advantageously allows the dispensing of condiments based on a selection of and payment for a snack food. Because neither Shin nor Offatt teaches the recited controller and its advantages, Applicant respectfully requests reconsideration and withdrawal of the rejection of Claim 12.

Claim 13 (amended herein to correct for antecedent basis) depends from Claim 12 and therefore is patentable for at least the reasons presented for Claim 12. Therefore, Applicant requests reconsideration and withdrawal of the rejection of Claim 13.

Claims 16-19 Are Patentable Over Percy

Claim 16 recites in part:

means for automatically dispensing a serving of the plurality of snack food items and at least one of the plurality of condiment packets in response to a payment at the payment interface and a selection input at the selection interface.

Applicant respectfully submits that Percy fails to teach this limitation. Specifically, Percy teaches a vending machine can have storage columns of various dimension to accommodate

various sizes of containers. Col. 6, line 62 to col. 7, line 3. Notably, Percy teaches that a selection of a product (e.g. a beverage can) and payment thereof results in the dispensing of only that product. Applicant's system advantageously allows the dispensing of both the snack food item and at least one condiment packet based on a selection input and a payment. Because Percy fails to disclose or suggest the recited means for automatically dispensing and its advantages, Applicant respectfully requests reconsideration and withdrawal of the rejection of Claim 16.

Claims 17-19 depend from Claim 16 and therefore are patentable for at least the reasons presented for Claim 16. Based on those reasons, Applicant requests reconsideration and withdrawal of the rejection of Claims 17-19.

Claim 16 Is Patentable Over Moyer

Claim 16 recites in part:

means for automatically dispensing a serving of the plurality of snack food items and at least one of the plurality of condiment packets in response to a payment at the payment interface and a selection input at the selection interface.

Applicant respectfully submits that Moyer fails to teach this limitation. Specifically, Moyer teaches an article dispenser that rotates to allow a selection from a plurality of articles. Col. 3, lines 30-62. Notably, Moyer teaches that a selection of an article and payment thereof results in the dispensing of only that article. Applicant's system advantageously allows the dispensing of both the snack food item and at least one condiment packet based on a selection input and a payment. Because Moyer fails to disclose or suggest the recited means for automatically dispensing and its advantages,

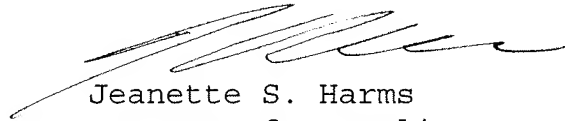
Applicant respectfully requests reconsideration and withdrawal of the rejection of Claim 16.

CONCLUSION

Claims 2-19 are pending in the present application.
Allowance of these claims is respectfully requested.

If there are any questions, please telephone the
undersigned at 408-451-5907 to expedite prosecution of this
case.

Respectfully submitted,



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